

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

No. CR S-93-0472 DLJ DAD

vs.

REFERENCE B. LANG,

Movant.

ORDER

Movant, a federal prisoner proceeding with appointed counsel, has filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge for further proceedings.

On October 25, 2007, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fifteen days. Movant has filed objections to the findings and recommendations, and respondent has filed a reply.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 25, 2007, are adopted in full;

2. Movant's February 5, 2001 second amended motion for relief pursuant to 28 U.S.C. § 2255 is denied with regard to movant's sole remaining claim; and

3. The Clerk is directed to close companion civil case No. CIV S-00-0895 DLJ DAD.

DATED: November 9, 2007



UNITED STATES DISTRICT JUDGE

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